

## Message Text

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ACTION EB-07

INFO OCT-01 EA-06 ISO-00 L-03 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 /026 W

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R 090430Z JUL 75

FM AMEMBASSY WELLINGTON

TO SECSTATE WASHDC 9875

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E.O. 11652: N/A

TAGS: EAIR, NZ

SUBJ: CIVAIR: SOUTH PACIFIC ISLAND AIRWAYS (SPIA)

REF: STATE 154905

1. EMBASSY IS PREPARED TO SEND AN EARLY FORMAL RESPONSE TO GWS CONCERNING SPIA OPERATING PERMIT. HOWEVER, IT IS CONCERNED THAT THE LANGUAGE SUGGESTED IN REFTEL MIGHT BE COUNTERPRODUCTIVE AT THIS JUNCTION IN THAN GWS MAY FEEL THAT USG IS EXERTING UNDUE PRESSURE IN EFFORT TO FORCE EARLY GRANTING OF SPIA OPERATING PERMIT.

2. DEPARTMENT WILL UNDOUBTEDLY RECALL THAT IN JUNE 1974, WHEN THE UN CHOSE TO APPOINT A DIRECTOR OF UNDP REGIONAL OFFICE IN WESTERN SAMOA WITHOUT PRIOR CONSULTATION WITH THE PRIME MINISTER, GWS NOTIFIED UNDP TO TRANSFER THE OFFICE OUT OF WESTERN SAMOA. THE SENSITIVENESS OF GWS TO ANY REAL OR PRESUMED UNDUE PRESSURE BY USG IN THE ISSUANCE OF SPIA'S PERMIT (REGARDLESS OF HOW UNJUSTIFIED) COULD PROVOKE THIS SMALL BUT PROUD COUNTRY INTO TAKING SOME ILL ADVISE BUT COUNTERPRODUCTIVE ACTION IN THIS CASE. THEREFORE, THE EMBASSY SUGGESTS THAT FOR THE ABOVE REASON AND TAKING INTO ACCOUNT THE POINTS SET OUT BELOW IT BE AUTHORIZED INSTEAD TO SEND A NOTE ALONG THE LINES INDICATED IN PARA 7.

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3. IT WILL BE NOTED FROM EMBTEL 1783 THAT IN THE GWS NOTE, THE WORDING OF THE SENTENCE IN PARA 1 CONCERNING ISSUANCE OF SPIA'S OPERATING PERMIT IS SUSCEPTIBLE TO INTERPRETATION THAT GWS IS NOW PREPARED TO ISSUE THE PERMIT WITHOUT FURTHER CONDITIONS. THE REQUEST FOR INFORMATION CONCERNING U.S. ACCEPTABILITY OF US/WS CONSULTATIONS, SUBJECT OF THE SECOND PARAGRAPH OF THE NOTE, DOES NOT NECESSARILY, IN THE EMBASSY'S VIEW, SAY THAT GWS IS PLACING PRIOR CONSULTATIONS AS A PREREQUISITE TO THE ISSUANCE OF SPIA'S PERMIT.

4. IT WILL BE RECALLED THAT DURING THE VISIT OF ECON/COMM COUNSELOR HARTWICK TO APIA IN LATE APRIL TH THEN SECRETARY TO GOVERNMENT KARANITA ENARI EXPRESSED GWS DESIRE FOR ASSURANCE THAT SPIA WOULD NOT BE TAKEN OVER BY A LARGE INTERNATIONAL AIRLINE AFTER IT HAD A GWS OPERATING PERMIT. AT THAT TIME HE DID NOT STATE THAT CONSULTATIONS WOULD BE A PRIOR CONDITION TO ISSUING THE PERMIT. HE ONLY ASKED ASSURANCE THAT THE USG NOT OBJECT TO THE INCORPORATION BY GWS OF A SUITABLE PROTECTIVE PROVISION IN THE PERMIT REGARDING SPIA OWNERSHIP.

5. THOUGH IT IS POSSIBLE, EVEN LIKELY, THAT THE NEW PRIME MINISTER, MR. TOMASESE, AND HIS SECRETARY, MR. LEOTA ALE, HAVE NOT BEEN INFORMED OF THE DETAILS OF TH ENARI/HARTWICK DISCUSSIONS, IT SEEMS ONLY PROPER (AND THE BEST TACTIC) IN OUR REPLY TO ACCEPT THE COMMITMENT ENARI MADE AS STILL VALID AND TO ASSUME THAT GWS HAS NOT AGAIN PLACED PRIOR CONSULTATIONS AS A CONDITION TO GRANTING THE PERMIT.

6. REGARDING THE QUESTION OF CONSULTATIONS, EMBASSY WISHES TO RECALL THAT IN RESPONSE TO GWS'S FIRST REQUEST FOR CONSULTATIONS USG OFFERED TO SEND REPRESENTATIVES TO APIA, WHEREAS NOW, ACCORDING TO THE WORDING OF REFTEL, "WE WOULD BE WILLING TO RECEIVE A GWS DELEGATION IN WASHINGTON AT AN EARLY DATE ON THE UNDERSTANDING (READ ON THE CONDITION) THAT GWS WILL ACT ON THE SPIA LIMITED OFFICIAL USE

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APPLICATION WITHOUT FURTHER DELAY". THIS APPARENT LESS FORTHCOMING RESPONSE TO GWS REQUEST, AND NOW WITH A CONDITION ATTACHED, MAY NOT SERVE WELL TO GAIN OUR OBJECTIVE. EMBASSY BELIEVES WE SHOULD SIMPLY STATE OUR AGREEMENT (WE COMMITTED OURSELVES TO THIS IN OCTOBER, 1972) TO EARLY CONSULTATIONS, EITHER IN APIA OR WASHINGTON, WHICHEVER GWS PREFERS.

7. THERE FOLLOWS THE EMBASSY SUGGESTED NOTE TO GWS:  
"THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS  
ITS COMPLIMENTS TO THE GOVERNMENT OF WESTERN SAMOA AND  
HAS THE HONOR TO REFER TO THE NOTE OF THE PRIME  
MINISTER'S DEPARTMENT DATED JUNE 11, 1975 CONCERNING  
OWNERSHIP CONDITIONS IN GRANTING A PERMIT TO SOUTH  
PACIFIC ISLAND AIRWAYS TO PROVIDE SCHEDULED AIR  
TRANSPORTATION SERVICE BETWEEN AMERICAN SAMOA AND  
WESTERN SAMOA. THE EMBASSY HAS BEEN INSTRUCTED BY  
THE DEPARTMENT OF STATE TO EXPRESS SATISFACTION THAT  
ON THE BASIS OF THE ASSURANCE OF THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA THAT IT WOULD HAVE NO  
OBJECTION, THE GOVERNMENT OF WESTERN SAMOA WILL  
INCLUDE A SUITABLE PROVISIO REGARDING OWNERSHIP  
IN THE OPERATING PERMIT OF SOUTH PACIFIC ISLAND AIRWAYS.

"YOU WILL RECALL THAT DISCUSSIONS TOOK PLACE IN APIA  
ON APRIL 22 AND 24, 1975 BETWEEN THE THEN SECRETARY  
TO GOVERNMENT MR. KARANITA ANARI, AND MR. TOBIAS  
HARTWICK, COUNSELOR FOR ECONOMIC AND COMMERCIAL  
AFFAIRS OF THE EMBASSY OF THE UNITED STATES OF  
AMERICA. AT THAT TIME MR. ENARI INFORMED MR. HARTWICK THAT, WITH  
THE ASSURANCE THAT THE GOVERNMENT OF THE UNITED  
STATES OF AMERICA WOULD HAVE NO OBJECTION SHOULD  
THE GOVERNMENT OF WESTERN SAMOA WHISH TO INCORPORATE  
A SUITABLE PROTECTIVE PROVISION INTO THE OPERATING  
PERMIT REGARDING THE NON TRANSFER OF OWNERSHIP OF  
SOUTH PACIFIC ISLAND AIRWAYS TO ANOTHER AIRLINE,  
THE GOVERNMENT OF WESTERN SAMOA WOULD GRANT THE  
PERMIT WITHIN ONE OR TWO WEEKS.

"WITH THAT ASSURANCE HAVING BEEN GIVEN, THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA UNDER-  
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STANDS THAT THE GOVERNMENT OF WESTERN SAMOA IS NOW  
IN A POSITION TO GRANT THE PERMIT WITHOUT FURTHER  
DELAY. THE EMBASSY WOULD APPRECIATE BEING INFORMED,  
PREFERABLY BY TELEGRAM, OF THE DATE ON WHICH THE  
PERMIT IS ISSUED SO THAT IT CAN, IN TURN, VK\$/C;LK  
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## Message Attributes

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**Decaption Date:** 01 JAN 1960  
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**Review Authority:** GolinoFR  
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**Status:** NATIVE  
**Subject:** CIVAIR: SOUTH PACIFIC ISLAND AIRWAYS (SPIA)  
**TAGS:** EAIR, NZ, US, CAB, SOUTH PACIFIC ISLANDS AIRWAYS  
**To:** STATE  
**Type:** TE  
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